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225-3741

NINETY-THIRD CONGRESS
Congress of the United States
House of Representatives

FOREIGN OPERATIONS AND GOVERNMENT INFORMATION SUBCOMMITTEE
OF THE
COMMITTEE ON GOVERNMENT OPERATIONS
RAYBURN HOUSE OFFICE BUILDING, ROOM B-371-B
WASHINGTON, D.C. 20515

Executive R

74-3

April 11, 1974

Honorable William E. Colby
Director
Central Intelligence Agency
Washington, D. C. 20505

Dear Mr. Director:

As you know, the Foreign Operations and Government Information Subcommittee of the House Committee on Government Operations is currently conducting a series of public legislative hearings on H. R. 12206 (Mr. Koch) and related bills co-sponsored by some 100 Members of the House of Representatives. The legislation would amend title 5, U.S.C. to provide that persons be given access to records concerning them which are maintained by Government agencies and additionally, as in the case of H. R. 13872 (Ms. Abzug), to provide for the privacy of such individuals' records.

It is my intention to recommend the approval of such legislation at the earliest practicable time. Thus, we need your best and most detailed advice on possible language changes and amendments to perfect this major legislation in the field of privacy.

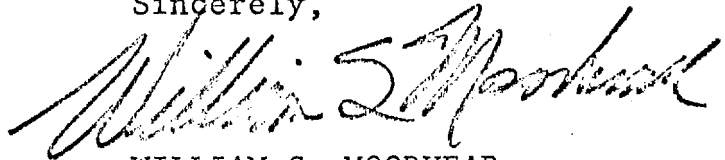
I have scheduled a public hearing for 10:00 a.m. Tuesday, April 30, in Room 2203 of the Rayburn House Office Building and would greatly appreciate a written statement submitted for the record from your agency. Please note that H. R. 13303 and H. R. 13872 were introduced following our earlier hearings in an effort to improve upon the original legislation, and they contain a number of changes from the language contained in H. R. 12206. Members also are especially interested in your reaction to HEW-proposed amendments to the bill.

Honorable William E. Colby
Page Two
April 11, 1974

In conformance with Committee rules, please arrange for at least 20 copies of your written statement to be delivered by no later than 10:00 a.m., Monday, April 29, to Mr. William G. Phillips, Subcommittee Staff Director, in Room B-371B, Rayburn House Office Building. Please do not request extensions of this deadline. A total of 50 copies will be needed by the opening of the hearing.

With kind regards,

Sincerely,

A handwritten signature in dark ink, appearing to read "William S. Moorhead", written in a cursive style.

WILLIAM S. MOORHEAD
Chairman

Enclosures

WILLIAM S. MOORHEAD

ADMINISTRATIVE --- INTERNAL USE ONLY

13 MAR 1974

MEMORANDUM FOR: Legislative Counsel

ATTENTION :

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SUBJECT : H.R. 12206, A Bill to Amend 5 USC 552
(The Freedom of Information Act)

REFERENCE : OLC 74-0249 dtd 20 February 1974

1. Pursuant to your request, we have reviewed the reference Bill, introduced by Representative Koch, which would amend the Freedom of Information Act by requiring that individuals be apprised of records concerning them that are maintained by Government agencies and would further grant certain rights of access to the records. We feel that several provisions of the Bill could create extremely serious difficulties for this Office should it be favorably acted upon by the Congress in its present form.

2. Some question exists as to whether provisions of the existing Freedom of Information Act, notwithstanding the amendments to be added by H.R. 12206, would continue to provide the Agency with exemptions in regard to the Office of Security's personnel security investigative files. If the proposed legislation should become law and is interpreted as not granting exception to the Agency, the following problems would be posed to this Office:

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Approved For Release 2005/08/03 : CIA-RDP80B01495R000500040003-3

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